

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of Rule 25-22.028,  
F.A.C., Filing, Number of Copies, and  
proposed amendment of Rule 25-40.001,  
F.A.C., Exceptions to the Uniform Rules of  
Procedure.

DOCKET NO. 150143-OT  
ORDER NO. PSC-15-0362-FOF-OT  
ISSUED: September 8, 2015

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
JULIE I. BROWN  
JIMMY PATRONIS

NOTICE OF ADOPTION OF RULES

NOTICE is hereby given that pursuant to Section 120.54, Florida Statutes, the Florida Public Service Commission has adopted without changes the repeal of Rule 25-22.028, Florida Administrative Code (F.A.C.), Filing, Number of Copies, and the amendment of Rule 25-40.001, F.A.C., Exceptions to the Uniform Rules of Procedure.

The rules were filed with the Department of State on September 8, 2015, and will be effective on September 28, 2015. A copy of the rules as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

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By ORDER of the Florida Public Service Commission this 8th day of September, 2015.

*Carlotta S Stauffer*

CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

[www.floridapsc.com](http://www.floridapsc.com)

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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**25-22.028 Filing, Number of Copies.**

~~(1) Filing. Filing shall be accomplished by submitting the original document and the appropriate number of copies, as provided by rule, to the Office of Commission Clerk. Filing may be made by U.S. Mail, hand delivery, or courier service. Filings on behalf of companies with gross annual operating revenues derived from intrastate business in excess of \$750,000, Class A water and sewer utilities, and parties to proceedings affecting these entities, shall also include a copy of the document on diskette in word processing or spreadsheet format, whichever is appropriate, when filing documents capable of being generated by word processing or spreadsheet software. Material for which a request for confidential classification is pending under Rule 25-22.006, F.A.C., should not be included in a diskette copy. The diskette filing need not recreate document attachments not originally generated for the purpose of filing with the Commission, such as exhibits attached to a petition. The copy of the document on diskette shall be filed within 1 working day of the date the original printed document is filed. Information about the word processing and spreadsheet software preferred by the Commission may be obtained from the Director of the Division. Each diskette shall be accompanied by a statement specifying the density of the diskette, the operating system and the software used to prepare the document on diskette. For purposes of the requirement that copies of documents be filed on diskette, "document" means all prehearing statements regardless of length, and pleadings, post hearing statements of positions on issues or briefs, proposed findings of fact and conclusions of law in excess of 5 pages exclusive of the service list. In case of a discrepancy between an original printed document that is filed and the document on diskette, the filed original document shall prevail. If the filing is made with the presiding officer during the course of a hearing, as provided by subsection 28-106.104(1), F.A.C., the responsible party shall ensure that a copy of the document is submitted on diskette to the Division within 5 working days. Where a document is served upon a party pursuant to these rules, its original and the appropriate copies, or, in the case of interrogatories or production of documents, a notice of service, shall be filed with the Office of Commission Clerk no later than 5 days after service.~~

~~(2) Number of Copies. The original and seven copies of all pleadings shall be submitted to the Office of Commission Clerk. However, initial pleadings for increases in rates, except rate increases by water and wastewater utilities, shall be filed with 20 copies. The requirement for filing 20 copies shall apply to all exhibits appended to the original petition, prepared testimony and exhibits, briefs and other supplemental data requested by the Commission. Rulemaking Authority 350.01(7), 350.127(2) FS. Law Implemented 120.569, 120.57 FS. History—Formerly 25-2.58, Amended 12-21-81, Formerly 25-22.28, Amended 2-11-92, 5-3-99, Repealed\_\_\_\_\_.~~

**25-40.001 Exceptions to the Uniform Rules of Procedure.**

The following provisions of the Commission’s rules are exceptions to the uniform rules of procedure:

UNIFORM RULE	COMMISSION RULE THAT IS AN EXCEPTION
CHAPTER 28-102, F.A.C.  AGENDA AND SCHEDULING OF MEETINGS  AND WORKSHOPS	Rule 25-22.0021, F.A.C.  Agenda Conference Participation.
CHAPTER 28-102, F.A.C. – AGENDA AND  SCHEDULING OF MEETINGS AND WORKSHOPS  AND CHAPTER 28-106 –DECISIONS DETERMINING  SUBSTANTIAL INTERESTS	Rule 25-22.0022, F.A.C.  Oral Argument Rule.
Rule 28-102.001, F.A.C.  Notice of Public Meeting, Hearing, or Workshop.	Rule 25-22.001, F.A.C.  Notice of Meeting or Workshop.
Subsection 28-102.002(2), F.A.C.  Agenda of Meetings, Hearings, and Workshops.	Rule 25-22.002, F.A.C.  Agenda of Meetings.
CHAPTER 28-103, F.A.C.  RULEMAKING	Rule 25-22.017, F.A.C.  Rulemaking Proceeding – Adoption.
CHAPTER 28-106, F.A.C.  DECISIONS DETERMINING SUBSTANTIAL  INTERESTS	Rule 25-22.006, F.A.C.  Confidential Information.  Rule 25-22.029, F.A.C.  Point of Entry Into Proposed Agency Action Proceedings.  Rule 25-22.0376, F.A.C.  Reconsideration of Non-Final Orders.  Subsections 25-22.0406(7)-(8) , F.A.C.  Notice and Public Information on General Rate Increase  Requests by Electric, Gas and Telephone Companies.

	<p>Subsections 25-22.0407(8) and (10) , F.A.C.</p> <p>Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities.</p> <p>Rule 25-22.060, F.A.C.</p> <p>Motion for Reconsideration.</p>
<p><del>Rule 28-106.104, F.A.C.</del></p> <p><del>Filing.</del></p>	<p><del>Rule 25-22.028, F.A.C.</del></p> <p><del>Filing, Number of Copies.</del></p>
<p>Rule 28-106.205, F.A.C.</p> <p>Intervention.</p>	<p>Rule 25-22.039, F.A.C.</p> <p>Intervention.</p>
<p>Rule 28-106.208, F.A.C.</p> <p>Notice of Hearing.</p>	<p>Rule 25-22.029, F.A.C.</p> <p>Point of Entry into PAA Proceeding.</p> <p>Rule 25-22.0405, F.A.C.</p> <p>Notices of Hearings.</p>
<p>Rule 28-106.212, F.A.C.</p> <p>Subpoenas.</p>	<p>Rule 25-22.045, F.A.C.</p> <p>Subpoenas.</p>
<p>CHAPTER 28-107 LICENSING</p>	<p>Rule 25-22.075, F.A.C.</p> <p>Transmission Line Permitting Proceedings.</p> <p>Rule 25-22.080, F.A.C.</p> <p>Electrical Power Plant Permitting Proceedings.</p>

*Rulemaking Authority 120.54(5)(a)3. FS. Law Implemented 120.54(5)(a)3. FS. History—New 4-28-99, Amended 3-*

*28-07, \_\_\_\_\_.*